

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John Preben Jensen et al. **Examiner:** Leslie A. Wong
Serial No.: 10/702,686 **Art Unit:** 1794
Filed: November 6, 2003 **Docket:** 16014
For: EDIBLE FLAVOR IMPROVER, **Dated:** June 9, 2009
PROCESS FOR ITS PRODUCTION
AND USE

Confirmation No.: 8992

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 23313-1450

**INFORMATION DISCLOSURE STATEMENT AND
STATEMENT UNDER 37 C.F.R. §1.97(e)**

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Japanese Patent National Publication No. Hei 10-513039 dated December 15, 1998 together with English language translation and English language Abstract;

CERTIFICATION OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website, on June 9, 2009.

Dated: June 9, 2009



Mark J. Cohen

2. Japanese Patent Laid-open No. Hci 6-14742 dated January 25, 1994 together with partial English translation and English language Abstract; and
3. SAYAMA, K., "Flavoring materials with betaine as raw material and the effect of using it"(1989) p. 38-42 Vol. 28, No. 11 Japan Food Science (relevant portions).

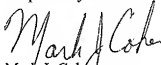
The references were cited in an Official Action dated March 18, 2009 received from the Japanese Patent Office. Applicants are submitting copies of the above-cited references required by 37 C.F.R. 1.98 (a)(2)(i) and (ii), and a copy of the Japanese Official Action together with an English translation of the Examiner's comments regarding the references from the Official Action. The relevance of the references is described in the Official Action.

In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an Official Action by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the

undersigned being based on the translation of the foreign examiner's comments submitted herewith.

The undersigned attorney hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,



Mark J. Cohen
Registration No. 32,211

SCULLY, SCOTT, MURPHY & PRESSER, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
516-742-4343 - Telephone
516-742-4366 - Fax

MJC/ech